

REMARKS

In one type of use, Applicant's invention comprises content reproduction for a personal video recorder (PVR). When individuals have recorded video content, they may wish to fast forward or rewind the video content to quickly skip to a desired location. When video content is recorded on a magnetic disk in a hard disk drive, the prior art teaches that the disk drive head must move through every data block on each rotation of the disk (i.e., circumferentially with respect to the disk) until the desired data block is reached. See, e.g., Applicant's background at paragraphs [0003] – [0006]. Simply put, Applicant's invention eliminates much of the unnecessary relative circumferential motion and moves the head radially—while maintaining chronological sequence of the video content—with respect to the disk. It is important to maintain the sequence between the data blocks in such applications so that the visual images produced appear in the order in which they were recorded.

In contrast, the cited primary reference to *Noda* uses (1) a "coarse access control" by detecting distance between data blocks and reaching the target position "within a shortest period of time" (col.11, line 50-57); followed by (2) a "fine access control" of calculating "the number of error tracks" from the target. Thus, *Noda* does not appear to analyze or at all be sensitive to the chronological sequence of the data blocks to be reproduced.

Moreover, and as noted by the Examiner (current Office Action, p.3) fails to disclose data position calculating means for calculating a position of a data block for a digital content to be read next and positions of other data blocks existing before and after the data block, as required by all of Applicant's claims.

The secondary reference *Bohrer* has been cited for this proposition. However, careful inspection of *Bohrer* reveals that it too is indifferent to chronological sequence of the data

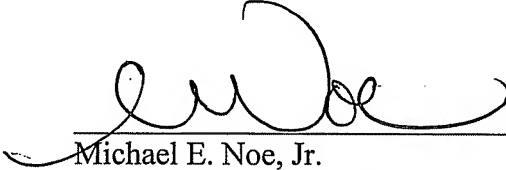
blocks. Furthermore, *Bohrer* discloses a network (e.g., LAN, internet, etc.; see, e.g., paragraph [0016]) for multiple clients 102 as shown in FIG. 1. Importantly, this reference is focused not on the chronology of the data blocks, but on "the network transfer rate," as evidenced in the first element of each independent claim (Claims 1, 10 and 18), and paragraphs [0008] and [0034]-[0037]. In particular, the most damning statements for disqualifying *Bohrer* are found in paragraph [0034], which read:

"If disk scheduler 206 determines that the physical location of a pending block is closer to the current position of the read/write head than the physical location of the next sequentially ordered block, *the retrieval of data from the block that is closer may be prioritized over the retrieval of data from the next sequential block* to minimize the physical movement of the read/write head. Thus, a decision is made in block 514 whether there is data on a track that is physically closer to the current head position than the track that would be next accessed if the request were processed sequentially." (emphasis added)

Since the physical location of some data blocks will be closer to the head than some of the next sequential blocks, *Bohrer* is useless for the intended application of video recording (e.g., a PVR). Thus, *Bohrer* teaches away from sequential data block retrieval and cannot be used in combination with *Noda* to reject Applicant's claims. In addition, both *Noda* and *Bohrer* are silent regarding data blocks that are before the current data block (i.e., they only address subsequent activity). This requirement of Applicant's claims addresses the "rewind" feature of PVRs. These significant differences between Applicant's claimed invention and the first two references renders moot the rejection under the third combination of references.

It is respectfully submitted that the present application is in condition for allowance and favorable action is requested. No fee for an extension of time or any other fees are believed to be required. However, in the event that any additional fees are required, please charge them to **Hitachi Global Technologies' Deposit Account Number 50-2587.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Noe, Jr.", is written over a horizontal line.

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